



MILPITAS PLANNING COMMISSION STAFF REPORT

February 10, 2016

APPLICATION:

STRATFORD SCHOOL – Conditional Use Permit No. UP15-0012, and Minor Site Development Permit No. MS15-0098 – A request for a Conditional Use Permit to operate a 55,600 square foot private school within the former Heald College building. The proposed private school anticipates up to 716 students ranging from pre-school to high school. The project also requires a Minor Site Development Permit for various site improvements.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. 16-002 approving Conditional Use Permit No. UP15-0012, and Minor Site Development Permit No. MS15-0098, subject to the attached Conditions of Approval.

LOCATION:

Address/APN:

341 Great Mall Parkway (APNs 086-24-057, 086-24-058)

Area of City:

Transit Area Specific Plan (TASP)

PEOPLE:

Project Applicant:

Clay Stringham, Stratford School, Inc.

Consultant(s):

Kartik Patel, Archevon Inc.

Property Owner:

Store Capital

Project Planner:

Bhavani Potharaju, Contract Assistant Planner

LAND USE:

General Plan Designation:

General Commercial (GNC)

Zoning District:

General Commercial (C-2)

Overlay District:

Transit Oriented Development (TOD)

Specific Plan:

Transit Area Specific Plan (TASP)

Specific Plan Zoning District:

Transit-Oriented General Commercial (C2-TOD)

Site Area:

3.63 acres

ENVIRONMENTAL:

Categorically exempt from further environmental review pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA). In addition, insomuch as the Project site is within the borders of the TASP, for which an environmental impact report was prepared (State Clearinghouse No. 2006032091) and certified by the City Council of the City of Milpitas on June

3, 2008 (Resolution No. 7759), and the Project complies with the TASP, no further environmental review is required.

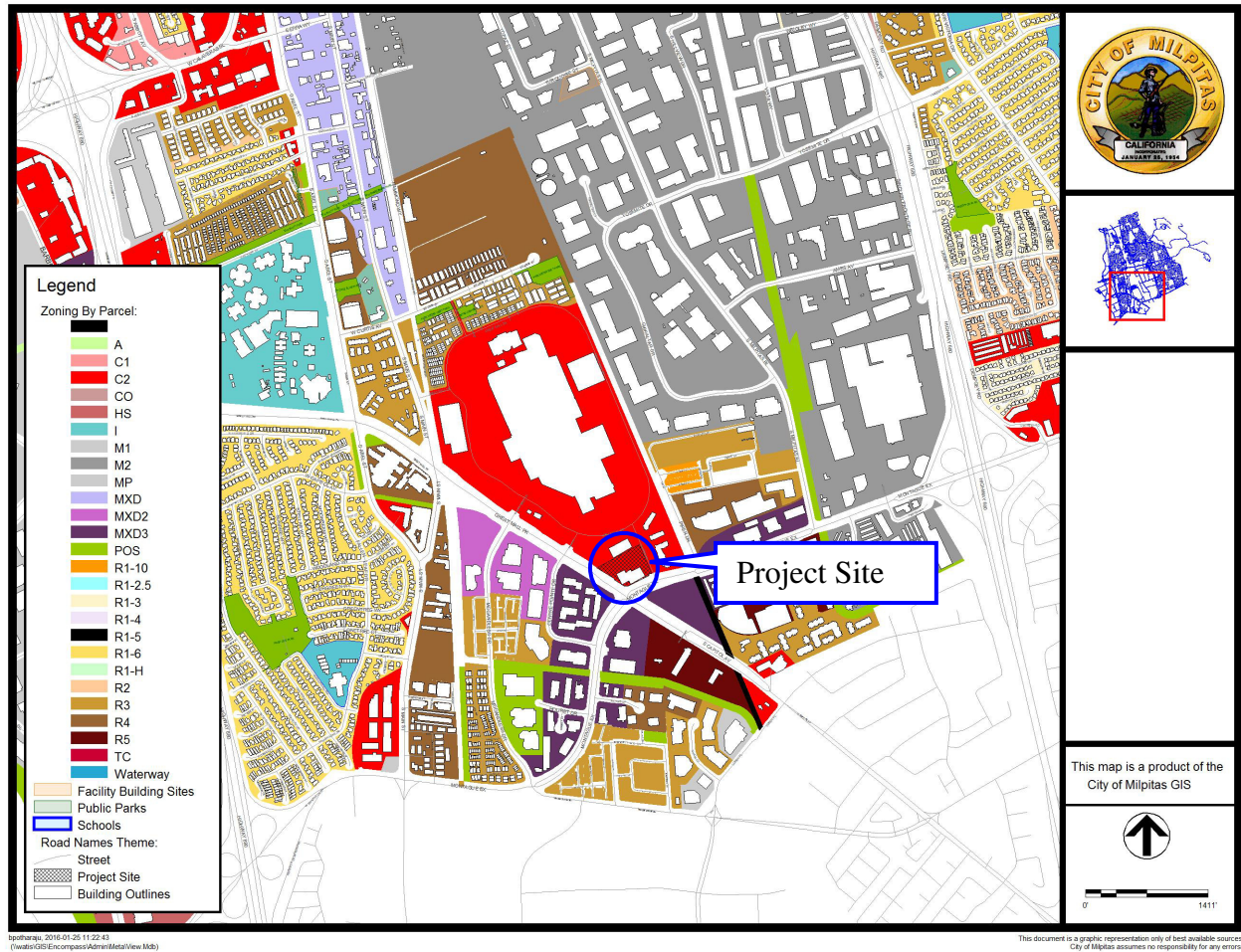
EXECUTIVE SUMMARY

The project proposes to use an existing building at 341 Great Mall Parkway to establish Stratford School for students from pre-school to High school. The building was formerly used as Heald College serving 1000 students. The proposed Stratford School would serve up to 716 students (240 preschool, 72 kindergarten, 332 elementary/middle school and 72 high school). The site accommodates 83 car parking spaces and 6 bicycle parking spaces. The project also includes variety of site improvements including landscape improvements, and removal and replacement of trees. The project requires approval of a Conditional Use Permit, and a Minor Site Development Permit.

Map 1
Project Location

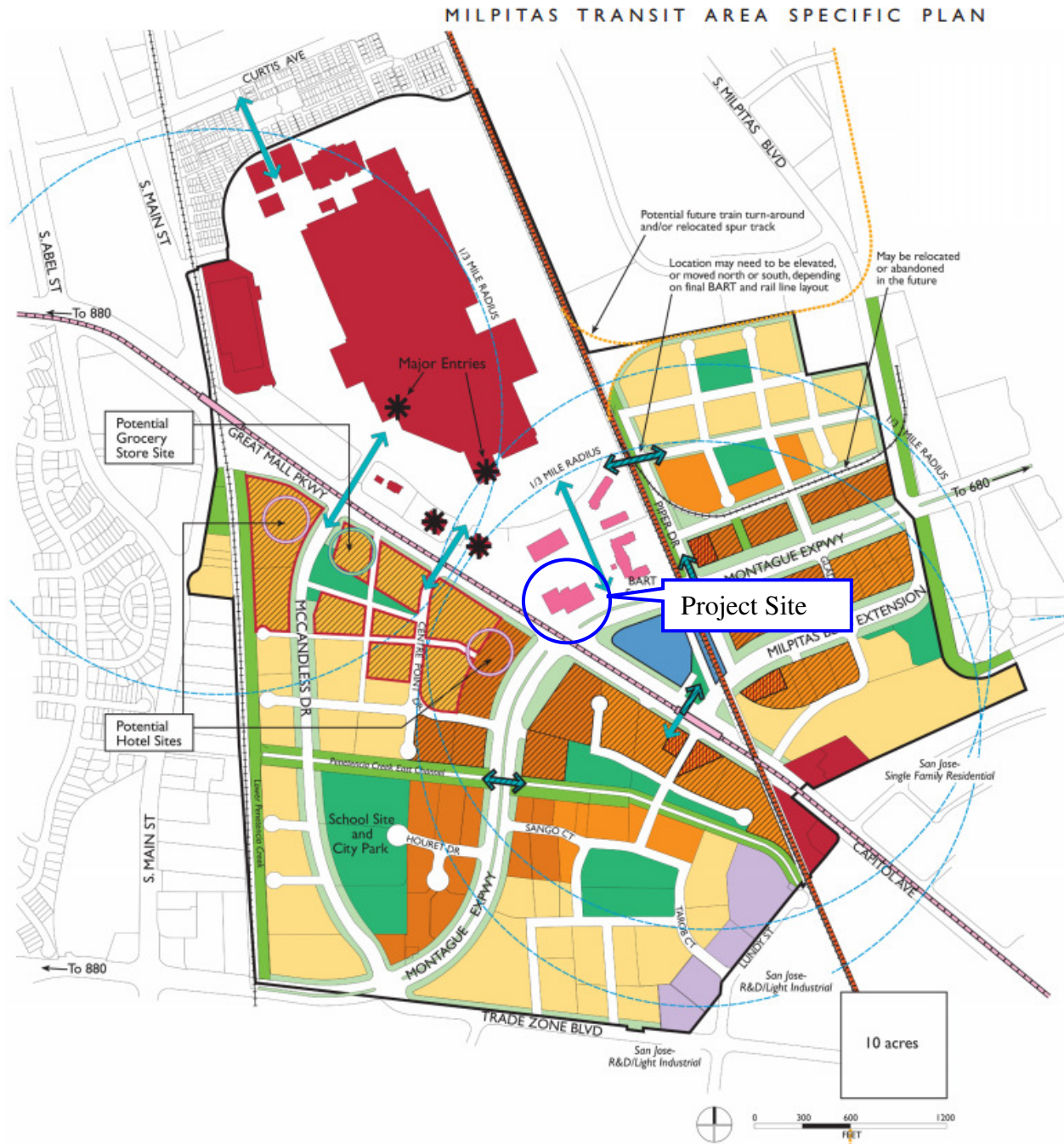


Map 2 Project Location on Zoning Map





Map 3
Project Location within Transit Area Station Plan



Map 4 Zoning Districts in Transit Area Station Plan

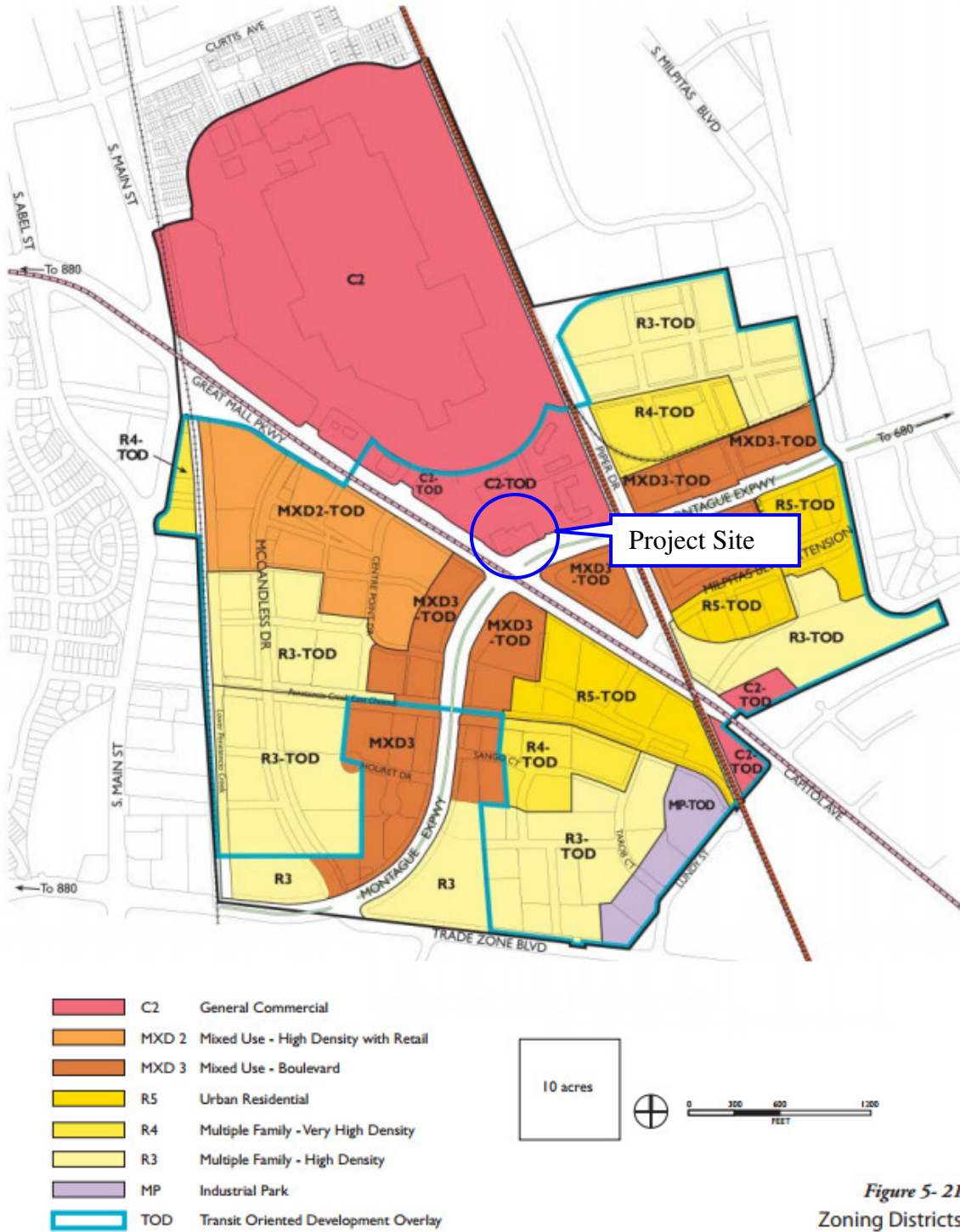


Figure 5- 21
Zoning Districts

BACKGROUND

History

The property consists of a building originally constructed as a training facility for Ford Motor Company in 1987. In 1993, the City Council approved a zone change and General Plan Amendment changing the land use designations of the site from Heavy Industrial (M2) to General Commercial (C2). In 1994, the Planning Commission approved a parking lot expansion for the site to accommodate commercial uses in the building. Subsequently, the building was renovated as an educational facility and was operated by Heald College as a junior college campus. In 1998, Heald College requested a parking reduction and minor site modifications, which were approved by the Planning Commission. Heald College operated through May 2015 and the building has been vacant since.

The Application

The following is a summary of the applicant's request:

- *Conditional Use Permit:* To allow the use of an existing building for a private school.
- *Minor Site Development Permit:* To allow site improvements such as on-site circulation driveway, restriping parking layout, landscape improvements, removal and replacement of trees, and associated site improvements.

PROJECT DESCRIPTION

Overview

The project proposes to use an existing building at 341 Great Mall Parkway to establish Stratford School for students from pre-school to High school. The building was formerly used as Heald College serving 1000 students. The proposed Stratford School would serve no more than 716 students (240 preschool, 72 kindergarten, 332 elementary/middle school and 72 high school). The site accommodates 83 car parking spaces and 6 bicycle parking spaces. The project also includes variety of site improvements, landscape improvements, and removal and replacement of trees. The project requires approval of a Conditional Use Permit, and a Minor Site Development Permit.

Location and Context

The site is located at the intersection of Great Mall Parkway and Montague Expressway. The project site is zoned General Commercial (C2) and has Transit Oriented Development (-TOD) Overlay focusing on design and treatment of projects near transit nodes. The 3.6 acre project site is bounded by Great Mall Parkway to the west, Montague Expressway to the south, and Falcon Drive to the east. The site is located less than ½ a mile from the VTA light rail station, the future BART station and the Great Mall Shopping Center. Table 1 summarizes the surrounding zoning districts.

Table 1: Zoning and Land Use Summary

	General Plan	Zone	Uses
Subject Site	General Commercial (GNC)	General Commercial (C2)	Previous use: Junior college. Proposed use: Private school from pre-school to High school
North	General Commercial (GNC)	General Commercial (C2)	Corporate Office
South	Boulevard Very High Density Mixed Use (BVMU)	Very High Density Mixed Use (MXD3)	Auto Repair
East	General Commercial (GNC)	General Commercial (C2)	Hotel
West	Boulevard Very High Density Mixed Use (BVMU)	Very High Density Mixed Use (MXD3)	Commercial

PROJECT ANALYSIS

General Plan, Specific Plan, and Zoning Conformance

General Plan Conformance

The General Plan designation for the project site is General Commercial (GNC), which provides for wide range of retail sales, and personal and business services. The use of the project site is consistent with City's General Plan.

Transit Area Specific Plan

The Transit Area Specific Plan (TASP) designates the project site as Transit-Oriented General Commercial (C2-TOD). Since the building to be occupied by the Project was vacant from May 2015, the project will be subject to TASP zoning and development standards. However, the building is an existing building and per TASP *Chapter 3, Existing Land Uses* (pg. 3-15), existing buildings or land uses which become nonconforming as a result of the new zoning and land use classifications are governed by the provisions in the Zoning Code regarding nonconforming buildings and uses. Based on provision, the project complies with TASP, and the project is further analyzed using the development standards in the Zoning ordinance.

Zoning Ordinance Conformance

The site zoned as General Commercial with a Transit Oriented Development overlay (C2-TOD). The project requires a Conditional Use permit in order to conform to the Zone C2. The TOD Overlay requires the site to have a maximum FAR of 1.0, and the project is in conformance with the TOD Overlay standards.

Development Standards

The table below demonstrates that the project is consistent with the development standards of the General Commercial zoning district (C2).

Table 2: General Commercial District Development Standards

Standards	Required	Existing	Complies
Front Setback	0'	61'	yes
Side Yard Setback	0'; 15' when abutting residential.	170'	yes
Street Side Yard	0'	13'	
Rear Setback	0'	7.5'	yes
Floor Area Ratio	.50	.35	yes
Building Height	None.	40'	yes

Site & Architectural Design

The project will occupy an existing 55,600 square foot building. The existing building includes classrooms, offices, library, labs, restrooms, and storage spaces. The tenant improvement for this project will include reconfiguration of the classrooms, and office spaces to provide larger classrooms, office spaces, and a multipurpose room. The project will also upgrade restrooms, cabinets, counters, plumbing, whiteboards, and other tenant improvements. The site design will include addition of play areas, volleyball court and basketball court.

Landscaping & Open Space Design

The landscape design includes a combination of the existing landscape and the new landscape. Refer sheets L1.0 – L2.0 in Attachment B to see the proposed landscape plan. The project will also require removal of 18 trees, to be replaced with 20 trees.

Parking

Table 3 demonstrates the project's compliance with the Zoning Code parking standards per *Section XI-10-53 Off-Street Parking*.

Table 3: Project Compliance with Parking

Uses	Area/ Number	Required Parking Ratio	# Spaces Required
Preschool			
Classroom	8,691 sq. ft., 10 classrooms	1 per 500 square feet	17
Employees	22 employees	1 per 1.5 employees	15
Load/Unloading	240 students	1/6 for 1 st 30; then 1/10	26
Elementary & Middle School			
Classrooms	14 classrooms	1 per classroom	14

Office Space	1,500 sq. ft.	1/240 sq. ft. office	6
High School			
Classrooms	4 classrooms	1 per classroom	4
Office space	1,500 sq. ft.	1/240 sq. ft. office	6
Students	72 students	1/5 students	15
		Subtotal Required	103
Transportation Corridor Reduction		-20%	-20
Net Required			83
Total number of Parking Space Provided			109

Bicycle Parking

Per recommendation from VTA, the project provides six bike racks and two bicycle lockers at the entrance patio.

Traffic Impact Analysis

The applicant conducted a Traffic Impact Analysis to analyze the weekday AM peak hours for the project. The operation of thirteen intersections around the project site were evaluated during the weekday 7:00 AM – 9:00 AM peak period. The results of the Traffic Impact Analysis based on the Institute of Transportation Engineers (ITE) Trip Generation Manual indicate that the proposed project would produce 322 net-new AM peak hour trips (177 inbound, 145 outbound). The net-new AM peak hours accounts for Transportation Demand Management strategies that have been successfully implemented in other locations of the same school. The school proposes to stagger drop-off and pick up timings. Per the traffic impact analysis, the net increase in the AM peak hour does not impact the Level of Service (LOS) at any of the thirteen intersections. Therefore, staff has determined that the project does not significantly impact the traffic conditions.

Access & Circulation

The project site has two access points, one from Montague Expressway, and one from Falcon Drive. The proposed project will be redesigning the on-site circulation such that Falcon Drive will have an entry and exit point, which will be the main access points for the school. The existing entry from Montague Expressway will be used only for emergency vehicle access. In order to ensure smooth flow of traffic, staff has conditioned the project to stagger drop-off and pick up time for the various grades. Applicant submitted a traffic impact analysis that staff reviewed before determining that there would not be a significant impact on the traffic flow.

The drive aisles and parking stalls are designed consistent with City standards, which ensures adequate vehicle circulation onsite. Given these design parameters, the project provides a circulation system that is consistent with the City standards.

Drop-Off and Pick-Up/Staggered Classroom Hours

This school facility offers four types of program. The drop-off and pick-up times are largely dependent on the type of program and the type of service. Please see the table below.

Table 4: Drop off/ Pick Up Timings

Program	Arrival	Departure
Morning and Full Day Preschool	8:15 am – 9:00 am	Morning Preschool: 11:15 am – 11:30 am Full Day Preschool: 3:40 pm – 3:55 pm
Elementary & Middle school	7:55 am – 8:10 am	3:20 pm – 3:35 pm
High school (to be implemented at a later stage)	7:00 am – 7:30 am	3:00 pm – 3:15 pm
Afternoon Preschool	12:30 pm – 1:00 pm	3:40 pm – 3:55 pm

FINDINGS FOR APPROVAL (OR DENIAL)

A finding is a statement of fact relating to the information that the Planning Commission has considered in making a decision. Findings shall identify the rationale behind the decision to take a certain action.

Conditional Use Permit (Section XI-10-57-04-1(F))

- 1. The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety and general welfare.*

The proposed school facility will serve the community, and, as proposed, have no detrimental or injurious impacts on the property or improvements in the vicinity of the property. The operation of the school will be in compliance with all local, state, and federal regulations.

- 2. The project is consistent with the Milpitas Zoning Ordinance.*

The site zoned as General Commercial with a Transit Oriented Development overlay (C2-TOD). The project requires a Conditional Use permit in order to conform to the Zone C2. The TOD Overlay requires the site to have a maximum FAR of 1.0, the project is in conformance with the TOD Overlay standards. The project is consistent with development standards of the Milpitas Zoning ordinance.

- 3. The project is consistent with the Milpitas General Plan.*

The General Plan designation for the project site is General Commercial (GNC), which provides for wide range of retail sales, and personal and business services. The use of the project site is consistent with City's General Plan. The project is specifically consistent with Policies 2.a-1-33 and 2.a-I-2.

- a. *Policy 2.a-I-33: Encourage the establishment of day care facilities consistent with State standards, including the issuance of use permits for large day care facilities where compatible with surrounding neighborhoods and commercial uses, particularly in public facilities such as community centers, churches, schools and in employment centers and large housing developments.*

The project is consistent with this finding because it will offer day care facilities that, as a Condition of Approval, will be required to comply with all local, state and federal regulations. The project is located in an area zoned as very high density residential uses, which will provide the community with a service to serve their needs.

- b. *Policy 2.a-I-2: Promote development within the incorporated limits which acts to fill-in the urban fabric rather than providing costly expansion of urban services into outlying areas.*

The project is consistent with this finding because it is located within the incorporated limits of the City of Milpitas, and thus further completes the urban fabric. This contributes additional childcare and educational opportunities within city limits without requiring the expansion of services to unincorporated areas.

4. *The project is consistent with the Transit Area Specific Plan.*

The Transit Area Specific Plan (TASP) designates the project site as Transit-Oriented General Commercial (C2-TOD). Since the building to be occupied by the Project was vacant from May 2015, the project will be subject to TASP zoning and development standards. However, the building is an existing building and per TASP *Chapter 3, Existing Land Uses* (pg. 3-15), existing buildings or land uses which become nonconforming as a result of the new zoning and land use classifications are governed by the provisions in the Zoning Code regarding nonconforming buildings and uses. Based on this section in the TASP, the project complies with TASP.

Minor Site Development Permit (Section XI-10-57.03(F))

1. *The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development;*

The layout of the site and design of the buildings and structures will not change if this project is approved, as the project plans to make use of the existing facilities, as permitted by the Transit Area Specific Plan. To the extent improvements are part of the project scope, the project is consistent with this finding because the interior building improvements and site improvements, including the Landscaping Plan, proposed do not change the overall design of the building or project site. Rather, these changes would improve and renew the aesthetics of the site while retaining the same character.

2. *The project is consistent with the Milpitas Zoning Ordinance;*

As discussed in detail above, the Project is consistent with the Milpitas Zoning Ordinance.

3. *The project is consistent with the Milpitas General Plan;*

As discussed in detail above, the Project is consistent with the Milpitas General Plan.

4. *The project is consistent with the Transit Area Specific Plan.*

As discussed in detail above, the project is consistent with the Transit Area Specific Plan.

ENVIRONMENTAL REVIEW

The Planning Division conducted an initial environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). The project is exempt from further environmental review pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines. In addition, inasmuch as the Project site is within the borders of the TASP, for which an environmental impact report was prepared (State Clearinghouse No. 2006032091) and certified by the City Council of the City of Milpitas on June 3, 2008 (Resolution No. 7759), and the Project complies with the TASP, no further environmental review is required.

PUBLIC COMMENT/OUTREACH

Staff provided public notice the application in accordance with City and State public noticing requirements. At the time of writing this report, there have been no inquiries from the public. A notice was published in the Milpitas Post on January 29, 2016. In addition, 869 notices were sent to owners and occupants within 1,000 feet of the project site. A public notice was also provided on the project site, on the City's Website, www.ci.milpitas.ca.gov, and posted at City Hall.

CONCLUSION

In conclusion, the proposed project is consistent with the policies and guiding principles identified in the General Plan and satisfies the requirements specified in the Municipal Code. The proposed use, as conditioned, will contribute towards City's economic development goals and provide necessary public infrastructure improvements.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission:

1. Open to receive comments;
2. Close the Public Hearing; and
3. Adopt Resolution No. 16-002 approving Conditional Use Permit No. UP-15-0012, and Minor Site Development Permit No. MS-15-0098, subject to the attached Conditions of Approval

ATTACHMENTS

A: Resolution/COAs

B: Project Plans